IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA SPARTANBURG DIVISION

Vanida Khautisen, as Personal Representative) C.A. No. 7:21-cv-03775-TMC
of the Estate of Khouanexay Bill Sivilay,)
PLAINTIFF,))
v.) CONSENT MOTION TO AMEND
) MEDIATION DEADLINE
BHG Holdings, LLC, and BHG XXXVIII,)
LLC,)
)
DEFENDANTS.)
)

Plaintiff Vanida Khautisen, as Personal Representative of the Estate of Khouanexay Bill Sivilay, moves the Court for an order setting an August 5, 2023, deadline for mediation. Defendants consent to this motion.

On April 7, 2023, the Court granted the parties' consent motion for a Fourth Amended Scheduling Order. The parties are working diligently and cooperatively in discovery and expect to meet every deadline in the Fourth Amended Scheduling Order, except for the mediation deadline. Although the discovery deadline is July 28, 203, the parties had asked for a May 31, 2023, mediation deadline because they already had a mediation scheduled in May when they moved for the new scheduling order. However, Plaintiff was unable to proceed with mediation at that time because scheduling conflicts meant she would not have had an opportunity to depose important fact witnesses before the mediation. The parties therefore move the Court to set a mediation deadline to August 5, 2023, which is one week after the close of discovery on July 28, 2023. That would not affect any discovery, motions, or trial deadlines, but would make the mediation deadline consistent with the standard practice of setting mediation deadlines shortly

after the end of discovery. For example, in the original scheduling order, the mediation deadline was one week after the end of discovery.

WHEREFORE, Plaintiff moves the Court for an order setting a mediation deadline of August 5, 2023.

s/Phillip D. Barber
Phillip D. Barber (Fed ID No. 12816)
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WITH CONSENT:

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Attorney for Defendants

June 5, 2023 Columbia, South Carolina.